

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**Glass Dimensions, Inc. on behalf of the
Glass Dimensions, Inc. Profit Sharing
Plan and Trust, *and all others*
*similarly situated,***

Plaintiff,

v.

**State Street Corporation, State Street
Bank & Trust Co.,
and State Street Global Advisors,**

Defendants.

CIVIL ACTION NO: 1:10-CV-10588 (FDS)

**PLAINTIFF’S UNOPPOSED MOTION FOR AN ORDER EXTENDING THE TIME TO
FILE A MOTION FOR AN AWARD OF ATTORNEYS’ FEES AND COSTS AND THE
PAYMENT OF A SERVICE AWARD TO PLAINTIFF; [PROPOSED] ORDER**

By this Motion Plaintiff respectfully requests an extension of time, from March 3, 2014 to March 17, 2014, within which to file a motion for an award of attorney’s fees and costs and the payment of a service award to Plaintiff. The background and bases for this request are set forth below and in the accompanying declaration of Mark T. Johnson. As discussed, herein, the requested extension will not have a significant impact on the ability of class members to consider the motion for fees, costs and the payment of a service award prior to making a decision on whether to object to or opt out of the settlement. Nor will it have any effect on the deadline for filing the motion for final approval of the Settlement, which will be filed on March 3, 2014, the due date. All other deadlines established by the Court in connection with the implementation of the Settlement, including the deadline for class members to object to our opt out of the Settlement and the Final Approval hearing date, will remain as previously ordered.

BACKGROUND

On January 27, 2014, the Court entered its Order (1) Granting Preliminary Approval of the Settlement of Class Action, (2) Approving a Plan for Class Notice of the Settlement and Providing Class Members With an Opportunity to Exclude Themselves from the Settlement or Object to the Settlement, (3) Appointing a Claims Administrator to Administer the Settlement, and (4) Scheduling a Final Approval Hearing and Hearing on Plaintiff's Motion for Fees and Costs and a Service Award ("the January 27 Order"). (Dkt 377). By that Order the Court ordered that, "[n]ot later than March 3, 2014, Plaintiff will file an unopposed motion for final approval and supporting papers and a proposed final order." (*Id.* at ¶14). By the same Order, the Court directed that "Class Counsel shall serve and file their application for attorneys' fees and costs and their application for the payment of a service Award to Plaintiff not later than March 3, 2014. (*Id.* at ¶15).

BASIS FOR THE REQUESTED EXTENSION OF TIME

Although Plaintiff will be filing his motion for final approval and supporting papers by the existing deadline of March 3, 2014, as ordered, Class Counsel seek additional time within which to file their motion for fees and costs and for the payment of a service award. As set forth in the accompanying declaration of Mark T. Johnson, such additional time is necessary due to specific unexpected and intervening commitments in other cases, as well as personal commitments of the principal author of both the final approval motion and the fee motion. In addition, more time is required for counsel from the three firms to review their time and expense records to ensure accuracy and eliminate duplication or redundancy in calculating the total time and expenses on which the application will be based.

The extension requested by this motion will not impede class members' consideration of whether to object to the Settlement or opt out, because, as noted, the papers in support of the

motion to approve the Settlement will be filed by the current deadline, March 3. As for the motion for approval of fees and costs and the service award, the proposed delay of two weeks in filing the motion will have no impact on class members, because the deadline for objections is not until April 17, more than thirty days after the proposed new deadline for filing the motion for fees and expenses and the service award. (Doc. No. 377, ¶ 16, 17). Further, although the Class Action Settlement Notice mailed to class members on or about February 17, 2014 advised class members that the fee motion would be available on the website managed by the Claims Administrator on or before March 3, 2014, Plaintiff proposes that a statement be posted on that same website advising class members that the deadline for filing the motion has been extended to March 17, 2014 and that the motion will be available for review on that date.

Based on the foregoing, Plaintiff submits that good cause exists for granting this motion and respectfully request that the date for filing the application for attorneys' fees and costs and for payment of a Service Award to Plaintiff be extended to March 17, 2014 as set forth in the accompanying proposed Order.

Dated: February 27, 2014

Respectfully submitted,

/s/ Mark T. Johnson

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*Counsel for Plaintiff Glass
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Local Rule 7.1 Certification

I hereby certify that counsel for Plaintiff conferred with counsel for the Defendants concerning the relief sought in this motion and that Defendants do not oppose the relief sought in this motion.

/s/ Mark T. Johnson
Mark T. Johnson

CERTIFICATE OF SERVICE

I hereby certify that on February 27, 2014, I served the foregoing via CM/ECF on all counsel of record.

/s/ Mark T. Johnson
Mark T. Johnson

[PROPOSED] ORDER

Having considered Plaintiff's Unopposed Motion for an Order Extending the Time to File a Motion for an Award of Attorneys' Fees and Costs and the Payment of a Service Award to Plaintiff, and finding good cause for granting the motion, **IT IS HEREBY ORDERED AS FOLLOWS:**

1. Class Counsel shall serve and file their application for attorneys' fees and costs and their application for the payment of a Service Award to Plaintiff not later than March 17, 2014. The prior deadline for serving and filing the motion of March 3, 2014 is hereby vacated.

2. Class Counsel shall direct the Settlement Administrator to post a statement on the website **www.StateStreetSecuritiesLendingClassAction.com** to the effect that the date for filing the motion for attorneys' fees and expenses and payment of a service award to Plaintiff, has been extended to March 17, 2014, and that the motion and supporting papers will be made available on the website on that date.

IT IS SO ORDERED.

DATED : February __, 2014

Hon F. Dennis Saylor, IV
United States District Judge